



Llywodraeth Cymru
Welsh Government

PUBLICATION

Cabinet meeting: 17 January 2022

Minutes of a meeting of the Cabinet on 17 January 2022.

First published: 4 March 2022

Last updated: 4 March 2022

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Present

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Present

- Rt. Hon. Mark Drakeford MS
- Rebecca Evans MS
- Vaughan Gething MS
- Lesley Griffiths MS
- Jane Hutt MS
- Julie James MS
- Jeremy Miles MS
- Eluned Morgan MS
- Mick Antoniw MS

- Dawn Bowden MS
- Hannah Blythyn MS
- Julie Morgan MS
- Lynne Neagle MS

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- Lee Waters MS

Officials

- Andrew Goodall, Permanent Secretary
- Des Clifford, Director General Office of the First Minister
- Will Whiteley, Deputy Director Cabinet Division
- Toby Mason, Strategic Communications
- Jane Runeckles, Special Adviser
- Alex Bevan, Special Adviser
- Daniel Butler, Special Adviser
- Ian Butler, Special Adviser
- Kate Edmunds, Special Adviser
- Sara Faye, Special Adviser
- Clare Jenkins, Special Adviser
- Owen John, Special Adviser
- Andrew Johnson, Special Adviser
- Mitch Theaker, Special Adviser
- Tom Woodward, Special Adviser
- Christopher W Morgan, Head of Cabinet Secretariat (minutes)
- Damian Roche, Cabinet Secretariat
- Catrin Sully, Cabinet Office
- Tracey Burke, Director General, Education and Public Services
- Reg Kilpatrick, Director General, COVID-19 Crisis Coordination
- Judith Paget, Director General Health
- Andrew Slade, Director General, Economy, Skills and Natural Resources
- Helen Lentle, Director Legal Services
- Frank Atherton, CMO
- Rob Orford, Chief Scientific Adviser – Health
- Fliss Bennee, Co-Chair TAC
- Liz Lalley, Director Recovery and Restart
- Tom Smithson, Deputy Director COVID-19 Restart
- Christopher Warner, Deputy Director COVID-19 Review
- Dylan Hughes, First Legislative Counsel
- Neil Buffin, Deputy Director Legal Services

- Terry Kowal, Senior Legislative Counsel
- Tim Render, Director Land Nature and Food
- Helen John, Deputy Director Borders Infrastructure Delivery

Item 1: Minutes of previous meetings

1.1 Cymeradwydd y Cabinet gofnodion y 10 a 13 Ionawr / Cabinet approved the minutes of 10 and 13 January.

Item 2: First Minister's items

Cultural Objects (Protection from Seizure) Bill

2.1 Cabinet were informed that a Private Members' bill on cultural objects, protection from seizure was making its way through Parliament with the support of the UK government. The bill intended to extend the current protection afforded to cultural objects on loan from abroad to UK museums and galleries.

2.2 The bill contained provisions within the legislative competence of the Senedd and the aims were not inconsistent with those of Welsh Ministers. However, the UK government was seeking concurrent powers and officials had sought an amendment to 'carve out' powers for Welsh Ministers, in line with government policy on Westminster legislation. This had been refused and the Deputy Minister for Arts, and Sports and Chief Whip was now writing to the Member sponsoring the bill, Mel Stride MP, to seek his support to a 'carve out' amendment for Wales.

Item 3: Senedd business

3.1 Cabinet considered the contents of the Plenary grid and noted business would still be in the virtual format and voting time was scheduled for 7:15pm on

Tuesday and around 6:25pm on Wednesday.

Item 4: Review of Coronavirus Protections – 20 January

4.1 The First Minister introduced the paper, which built upon the discussion at Cabinet on 13 January to inform the latest legally required review of the Coronavirus Restrictions (no. 5) Regulations, which was due by 20 January 2022.

4.2 Ministers were reminded the restrictions relating to COVID-19 within the Coronavirus Control Plan were for the purpose of preventing, protecting against, controlling or providing a public health response to the incidence, spread of infection or contamination. There must be a threat to public health and the restrictions had to be proportionate in what they were intending to achieve.

4.3 The paper outlined the public health situation, which suggested the downward trajectory in COVID-19 cases was continuing in Wales and there was cautious optimism that the situation was beginning to stabilise.

4.4 Therefore, Cabinet confirmed the Regulations would be amended from 21 January to remove the additional protections outdoors, which were introduced in December, providing the conditions remained favourable on 20 January. There would be no limits on the numbers who could take part in outdoor activities, crowds would be able to return to outdoor sporting events and outdoor hospitality would be able to operate without additional measures. The Covid pass would be required for entry to larger outdoor events.

4.5 Cabinet also agreed in principle to include boosters in the definition of those 'fully vaccinated' which would require a change in the Regulations, and this should be reflected in the Covid pass.

4.6 The expansion of the Covid pass into hospitality would be revisited at the review due by 10th February.

4.7 Cabinet also confirmed, subject to the public health context remaining favourable in the advice due to be presented to the First Minister in the week of 24th January, the move back to all Alert Level Zero protections from 28th January.

4.8 Cabinet approved the paper, subject to officials taking into account comments made by Ministers and that they should instruct lawyers accordingly.

Item 5: Border control posts arrangements

5.1 The Minister for Economy introduced the paper, which asked Cabinet to agree in principle to the proposed approach to checks on sanitary and phytosanitary (SPS) goods entering the UK via Welsh ferry ports from 1st July 2022. Ministers were also asked to agree to manage the remaining financial risks and pressures.

5.2 Leaving the EU required physical checks on imports of SPS goods, such as plants, animals and animal products, and the UK government had delayed implementation until July 2022.

5.3 In Wales, new border control posts (BCPs) were required for Holyhead, Pembroke Dock and Fishguard, and Welsh Government had inherited delivery of facilities at these Ports towards the end of 2020. However, the permanent facility at Holyhead would not be operational until Spring 2023 and it would be later for the other 2 ports.

5.4 Therefore, there was a need for an approach that allowed the continued flow of SPS goods through these ports.

5.5 Interim arrangements were proposed for all 3 ports, which would consist of 'light touch' checks at port and destination, above the current arrangements. It was possible to decide on different approaches for each commodity, with the ability to implement full checking requirements for certain products, such as plants. Maintaining biosecurity would be the key.

5.6 In terms of the financial settlement, UK Ministers had agreed in principle to fund build costs however, they would not meet any operational or upfront expenditure.

5.7 Ministers agreed to proceed with the proposed interim arrangements.

5.8 Cabinet approved the paper.

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